IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY SECOND DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT
THE HON'BLE MS JUSTICE G.ROHINI
WRIT PETITION NO : 17043 of 2004

Between:

M/s. N.C.Enterprises, rep.by its Constituted Attorney,
Ajit Chand Bothra, S/o.Late R.C.Bothra,
Having its office at 28-2-47, (First floor) Daspalla Centre,
Surabagh,
Visakhapatnam.

.....
PETITIONER

AND

1 The Director of Mines & Geology, 8th floor, BRKR Building,
Tank bund Road, Hyderabad.
2 The Deputy Director of Mines & Geology, Visakhapatnam
Region, D.No.10-50-21,
Ratna Siripuram Junction, Behind varun Motors,
Visakhapatnam.
3 The Assistant Director of Mines & Geology, plot No.13,
sector 1, MVP Colony, Vishakapatnam.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction more so one in the nature of Mandamus declaring the inaction on the part of the first respondent in not disposing of the statutory appeal dated 23-06-2003 filed by the petitioner firm under Rule 35 of the A.P. Minor Mineral Concession Rules, 1966 challenging the third respondent's demand notice No.1427/Q/2003 dated 03-06-03 as illegal, arbitrary and violative of Article 14 of the Constitution of India and consequently direct the first respondent to dispose of the same in a time bound manner in the interest of law and justice.

Counsel for the Petitioner: MR.PANNALA.SRINIVAS

Counsel for the Respondents: GP FOR MINES AND GEOLOGY

The Court made the following :

ORDER:

This writ petition is filed questioning the alleged inaction on the part of the 1st respondent-Director of Mines & Geology, Hyderabad, in disposing of the statutory appeal dated 23-06-2003, filed by the petitioner-firm under Rule 35 of the A.P. Minor Mineral Concession Rules, 1966, challenging the demand made by the 3rd respondent-Assistant Director of Mines & Geology, Visakhapatnam, under notice No.1427/Q/2003 dated 03-06-2003, as arbitrary and illegal.

Heard the learned counsel for the petitioner and the learned Government Pleader for Mines and Geology, appearing for the respondents.

Since the petitioner states that the statutory appeal is pending from the month of June, 2003 onwards, I am of the view that it would be appropriate to dispose of the writ petition with a direction to the 1st respondent to dispose of the appeal pending on his file as expeditiously as possible, preferably, within a period of four weeks from the date of receipt of a copy of this order.

The writ petition is accordingly disposed of. No costs.

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22-09-2004

Note: Issue C.C in three days.

B/o.

vs

To

1 The Director of Mines & Geology, 8th floor, BRKR Building, Tank bund Road, Hyderabad.

2 The Deputy Director of Mines & Geology, Visakhapatnam Region, D.No.10-50-21, Ratna Siripuram Junction, Behind varun Motors,

Visakhapatnam.

3 The Assistant Director of Mines & Geology, plot No.13, sector 1, MVP Colony, Vishakapatnam.

4 Two CCs to the G.P for Mines and Geology, High Court Buildings, Hyderabad(O.U.T).

5 Two CD copies.